

Senate Chamber, Atlanta, Georgia
Thursday, February 1, 2007
Thirteenth Legislative Day

The Senate met pursuant to adjournment at 10:00 a.m. today and was called to order by the President.

Senator Balfour of the 9th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following Bill of the House:

HB 98. By Representatives Fleming of the 117th, Keen of the 179th, Burkhalter of the 50th, Ehrhart of the 36th, Willard of the 49th and others:

A BILL to be entitled an Act to amend the Official Code of Georgia Annotated so as to change references to certain committees of the Georgia Senate and House of Representatives in the Official Code of Georgia Annotated to conform such references to committee names as adopted by resolution by the Georgia Senate and the Georgia House of Representatives, respectively; to provide for editorial revision; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 89. By Senators Adelman of the 42nd, Pearson of the 51st, Weber of the 40th, Golden of the 8th, Stoner of the 6th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to provide for the creation of townships; to provide a short title; to provide for the requirements for the creation of such townships;

to provide for boards of town supervisors for such townships; to provide for powers, duties, and functions of such town supervisors; to provide for officers, meetings, elections, and filling of vacancies for such town supervisors; to provide for certain immunities; to provide that property within such townships shall not be subject to municipal annexation; to conform related laws; to provide for related matters; to provide for an effective date and for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Urban Affairs Committee.

SB 90. By Senator Douglas of the 17th:

A BILL to be entitled an Act to repeal an Act creating the City of Hampton Public Facilities Authority, approved May 30, 2003 (Ga. L. 2003, p. 3848); to provide that any outstanding debt, contracts, or assets held by the City of Hampton Public Facilities Authority shall be assumed by the local governing authority of Henry County; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

SB 91. By Senators Pearson of the 51st, Wiles of the 37th, Adelman of the 42nd, Powell of the 23rd and Carter of the 13th:

A BILL to be entitled an Act to amend Article 15 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to serious traffic offenses, so as to change provisions relating to punishment for the offense of fleeing or attempting to elude a pursuing police vehicle or police officer; to provide for related matters; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

SB 92. By Senators Pearson of the 51st, Mullis of the 53rd, Balfour of the 9th, Seabaugh of the 28th and Rogers of the 21st:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to provide for collection of certain data; to provide for powers, duties, and authority of the state revenue commissioner, the Department of Revenue, and the Department

of Community Affairs with respect to the foregoing; to provide for other matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Finance Committee.

SB 93. By Senators Smith of the 52nd, Thomas of the 54th, Hawkins of the 49th, Hill of the 32nd and Unterman of the 45th:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the "Patient Disclosure for Eye Surgery Act"; to provide for the delegation of postoperative eye care for a patient who has undergone eye surgery; to provide for definitions; to provide for comanagement agreements; to provide for requirements for delegation; to provide for an affirmative defense; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 94. By Senators Wiles of the 37th, Hamrick of the 30th, Heath of the 31st, Mullis of the 53rd and Seabaugh of the 28th:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to dispossessory proceedings, so as to define a term; to clarify the process for judgments by default; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SB 95. By Senators Carter of the 13th, Adelman of the 42nd, Thomas of the 54th, Chance of the 16th and Seay of the 34th:

A BILL to be entitled an Act to amend Article 7 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to sale or distribution to, or possession by, minors of cigarettes and tobacco related objects, so as to make it unlawful to attempt to purchase cigarettes or tobacco related objects; to change certain provisions relating to sales from vending machines; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Health and Human Services Committee.

SB 96. By Senators Golden of the 8th and Stoner of the 6th:

A BILL to be entitled an Act to amend Article 11 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to drug-free workplace programs, so as to provide for onsite testing; to provide for oral testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

SB 97. By Senators Hamrick of the 30th and Seabaugh of the 28th:

A BILL to be entitled an Act to amend Article 3 of Chapter 8 of Title 17 of the Official Code of Georgia Annotated, relating to conduct of criminal trial proceedings, so as to require parties to raise specific objections to jury charges prior to the jury retiring to deliberate; to provide that failure to raise objections shall preclude appellate review except under limited circumstances; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 98. By Senators Hamrick of the 30th, Mullis of the 53rd, Thomas of the 54th, Heath of the 31st, Staton of the 18th and others:

A BILL to be entitled an Act to amend Titles 16 and 35 of the Official Code of Georgia Annotated, relating to crimes and offenses and law enforcement officers and agencies, respectively, so as to provide the Georgia Bureau of Investigation with the authority to investigate certain offenses against minors, including subpoena power; to change provisions relating to the "Computer Pornography and Child Exploitation Act of 1999"; to provide for a definition; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SR 130. By Senators Adelman of the 42nd, Pearson of the 51st, Weber of the 40th, Golden of the 8th, Stoner of the 6th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide that the General Assembly may provide by law for townships for the limited purposes of exercising the power of zoning and the regulation of land use

development within the boundaries of such townships and provide for the funding and operation of such townships; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Urban Affairs Committee.

SR 133. By Senators Tarver of the 22nd, Powell of the 23rd, Hill of the 4th, Williams of the 19th, Whitehead, Sr. of the 24th and others:

A RESOLUTION creating the Joint Study Committee on Augusta, Georgia, Environmental Issues; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

SR 136. By Senators Thompson of the 33rd and Hamrick of the 30th:

A RESOLUTION dedicating the Emmett Henry Austin Memorial Bridge; and for other purposes.

Referred to the Transportation Committee.

The following House legislation was read the first time and referred to committee:

HB 98. By Representatives Fleming of the 117th, Keen of the 179th, Burkhalter of the 50th, Ehrhart of the 36th, Willard of the 49th and others:

A BILL to be entitled an Act to amend the Official Code of Georgia Annotated so as to change references to certain committees of the Georgia Senate and House of Representatives in the Official Code of Georgia Annotated to conform such references to committee names as adopted by resolution by the Georgia Senate and the Georgia House of Representatives, respectively; to provide for editorial revision; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Rules Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Rules Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 76 Do Pass

Respectfully submitted,
Senator Balfour of the 9th District, Chairman

Mr. President:

The State and Local Governmental Operations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 32 Do Pass
SB 82 Do Pass by substitute
SB 83 Do Pass by substitute

Respectfully submitted,
Senator Wiles of the 37th District, Chairman

The following legislation was read the second time:

SB 39	SB 45	SB 68	SR 30	SR 66	SR 68
SB 44	SB 57	SR 22			

Senator Balfour of the 9th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

The members pledged allegiance to the flag.

Senator Seabaugh of the 28th introduced the chaplain of the day, Pastor Ken Adams of Newnan, Georgia, who offered scripture reading and prayer.

The following resolutions were read and adopted:

SR 131. By Senators Hudgens of the 47th, Johnson of the 1st, Rogers of the 21st, Seabaugh of the 28th, Carter of the 13th and others:

A RESOLUTION recognizing February 6, 2007, as "Ronald Reagan Day" in the State of Georgia; and for other purposes.

SR 132. By Senators Mullis of the 53rd, Pearson of the 51st, Rogers of the 21st, Schaefer of the 50th, Whitehead, Sr. of the 24th and others:

A RESOLUTION commending Georgia's sustainable and environmentally friendly businesses; and for other purposes.

SR 134. By Senators Meyer von Bremen of the 12th, Hooks of the 14th, Williams of the 19th, Harbison of the 15th, Harp of the 29th and others:

A RESOLUTION commending the Capitol Police; and for other purposes.

SR 135. By Senators Tolleson of the 20th, Bulloch of the 11th, Hill of the 4th, Johnson of the 1st, Meyer von Bremen of the 12th and others:

A RESOLUTION recognizing February 1, 2007, as "Forestry Day at the Capitol"; and for other purposes.

Senator Murphy of the 27th recognized representatives of Community Health Care Centers, commended by SR 100, adopted previously. Ola Smith, President of the Georgia Association for Primary Health Care, addressed the Senate briefly.

Senator Williams of the 19th moved that the Senate adjourn until 9:00 a.m. Friday, February 2, 2007.

The motion prevailed, and the President announced the Senate adjourned at 10:41 a.m.